

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRACY MATTHEWS,

Plaintiff,

07 Civ. 6281 (SAS)

-against-

TINO HERNANDEZ, as Chairman of the
New York City Housing Authority, and
the NEW YORK CITY HOUSING
AUTHORITY,

Defendants.

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DATE FILED: 10/24/07

**STIPULATION OF
SETTLEMENT AND
DISCONTINUANCE**

WHEREAS plaintiff Tracy Matthews ("plaintiff") brought this action seeking, among other things, the ability to pursue succession rights to a public housing apartment located at 1682 Seward Avenue, Apartment 2D, Bronx, New York (the "apartment");

WHEREAS the apartment is located in the Soundview Houses development, which is owned and operated by defendant New York City Housing Authority ("Housing Authority");

WHEREAS plaintiff represents that his mother, Lavette Singleton ("Singleton"), signatory to the lease, has vacated the apartment;

WHEREAS the parties wish to resolve this matter amicably;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties to this action, by their counsel, that:

1. Subject to paragraph 5 below, this action is hereby discontinued with prejudice, each party to bear his, her, or its own costs and attorney's fees.
2. The Housing Authority will (i) deem Singleton to have vacated the apartment; (ii) vacate its Determination of Status for Continued Occupancy, dated November 10,

2004, terminating the tenancy of Singleton; and (iii) discontinue administrative charges against Singleton.

3. If plaintiff applies for tenancy rights as a remaining family member, the Housing Authority will consider plaintiff's application according to all existing requirements for remaining-family-member status.

4. The Housing Authority will discontinue with prejudice a currently-pending holdover proceeding captioned *New York City Housing Authority-Soundview Houses v. Lavette Singleton*, Index No. 016963/2006 (Civil Court of the City of New York, County of Bronx).

5. This stipulation is subject to approval by the Members of the Housing Authority's Board and will take effect on the date of such approval. In the event the Members of the Housing Authority do not approve the stipulation, this action may be restored to the Court's calendar by stipulation or by motion of either party on 15 days' notice.

Dated: New York, New York
October 17, 2007

Dated: New York, New York
October 22, 2007

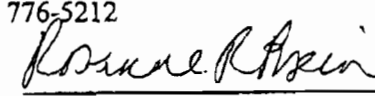
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By:


Edward Josephson (EJ 7815)

By:


Rosanne R. Pisem (RP 1817)

SO ORDERED


U.S.D.J.

10/23/07
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Hon. Shira A. Scheindlin


page 2

If the Court has any questions or requires additional information, please do not hesitate to contact us.

Respectfully submitted,



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Enclosure